

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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KELLY HAYES MCALONIE,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

\* \* \* \* \*

Ronald C. Homer, Conway, Homer & Chin-Caplan, P.C., Boston, MA, for  
petitioner;

Glenn A. MacLeod, United States Dep't of Justice, Washington, DC, for  
respondent.

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\* No. 14-473V  
\* Special Master Christian J. Moran  
\*  
\* Filed: May 17, 2016  
\*  
\* Attorneys' fees and costs; award  
\* in the amount to which  
\* respondent does not object.  
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### UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>

On April 29, 2016, petitioner filed a motion for attorneys' fees and costs totaling \$37,134.37, an amount to which respondent does not object. The Court awards this amount.

On June 4, 2014, Kelly Hayes McAlonie filed a petition for compensation alleging that the influenza vaccine administered on December 9, 2011, caused her to suffer Guillain-Barré syndrome. The undersigned issued a decision based on the parties' stipulation. Decision, issued Dec. 15, 2015. Because Ms. McAlonie received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

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<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Ms. McAlonie seeks a total of **\$36,734.37**, in attorneys' fees and costs for her counsel. Additionally, petitioner filed a statement of costs in compliance with General Order No. 9, stating that she personally incurred \$400.00 in litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the undersigned GRANTS the motion and awards the following:

- a. A lump sum of \$36,734.37, in the form of a check made payable to petitioner and petitioner's attorney, Ronald C. Homer, of Conway, Homer & Chin-Caplan, P.C., for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**
- b. A lump sum of \$400.00, in the form of a check made payable to petitioner, Kelly Hayes McAlonie, representing reimbursement for petitioner's costs.**

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith

Any questions may be directed to my law clerk, Shannon Proctor, at (202) 357-6360.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master